



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



222523

4/25/02

REPLY TO THE ATTENTION OF

April 25, 2002

BY FAX AND REGULAR MAIL

Mr. Michael J. Hughes
Neal Gerber & Eisenberg
2 North LaSalle Street
Chicago, Illinois 60602-3801

Re: Downers Grove Site Investigation
Precision Brand Products, Inc. and Arrow Gear Company

Dear Mr. Hughes:

Thank you for your letters dated April 19, 2002, and April 23, 2002, transmitting the consent for access for your clients Precision Brand Products, Inc. and Arrow Gear Company to their properties on Curtiss Street in Downers Grove, Illinois. The understandings described in those consents to access are reasonable, though I would like to clarify a couple of small points to make sure there is no misunderstanding.

First, it is the policy of the United States Environmental Protection Agency (U.S. EPA) to restore properties to their prior condition *to the extent practicable*. In some cases, minor modifications to the pre-existing conditions may be beneficial to both the property owner and to U.S. EPA. Similarly, if monitoring wells are left on-site for future use, that would be an alteration of prior conditions that is clearly contemplated by, and acceptable to, the property owner.

Second, I assume that the reference in the third paragraph of the forms to adding Precision and Arrow Gear as an insured to "any available" policies refers solely to existing policies and does not imply that new policies will be acquired. Further, despite the language in that paragraph, U.S. EPA does not believe that any insurance policies are or could be *required* as a condition of consent to access. U.S. EPA has, however, provided documentation of the insurance that its contractor maintains and its contractor has agreed to name Precision Brand Products, Inc. and Arrow Gear Company as additional insureds.

I believe these clarifications are semantic rather than substantive, but please contact me if you have any further questions or concerns. I appreciate the cooperation shown by you and your clients in providing the access requested by U.S. EPA.

Sincerely yours,

Thomas J. Krueger
Associate Regional Counsel

cc: Steven Faryan, U.S. EPA
Carol Ropski, U.S. EPA